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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 REGINALD HOWARD,

Case No.: 2:13-cv-01368-RFB-NJK

10 Plaintiff,

11 v.  
12 **STIPULATION TO EXTEND  
CERTAIN POST-TRIAL DEADLINES  
PENDING POSSIBLE RESOLUTION  
OF MATTER**

13 S. FOSTER, et al.,

14 Defendants.

(First Request)

15 COME NOW, Plaintiff, Reginald Howard, by and through his attorneys, Margaret A.  
16 McLetchie and Alina M. Shell, of the law firm of McLetchie Shell, LLC, along with  
17 Defendants, Aaron Dicus, Sean Bloomfield, and Gustavo Sanchez, by and through their  
18 attorneys, Adam Paul Laxalt and Frank A. Toddre II, of Nevada Attorney General's Office,  
19 and hereby agree and stipulate to extend certain post-trial deadlines.

20 First, the deadline for Plaintiff to submit a proposed order with underlying  
21 documentation as to fees and costs pursuant to 42 U.S.C. § 1988. (ECF No. 142) shall be  
22 extended from October 5, 2018 to **November 19, 2018**.

23 Second, Defendants have filed a Motion for Relief of Judgment under Rule 59 on  
24 October 4, 2018.<sup>1</sup> Plaintiff's deadline to respond to that Motion shall be extended until  
25 **December 18, 2018**.

26 \_\_\_\_\_  
27 <sup>1</sup> The 28-day deadline put forth in FRCP 59(b) is not waivable as a jurisdictional time limit.  
28 As such, the Defendants' filed this motion to preserve their right to relief while parties were  
engaged in post-trial discussion for resolution.

1           Third, Defendants have filed an Objection to the Bill of Costs filed by Plaintiff on  
2 October 4. 2018. Plaintiff's reply, if any, to any Objection shall be due on **November 13,**  
3 **2018.**

4           This Stipulation is not sought for any improper purpose or other purpose of delay,  
5 but in the interest of effectively representing Plaintiff's interests in this matter. The parties  
6 are currently discussing settlement and wish to reduce the accumulation of attorney's fees.

7 IT IS SO STIPULATED.

9 DATED this 4<sup>th</sup> day of October, 2018.

10 /s/ Alina M. Shell

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DATED this 4<sup>th</sup> day of October, 2018.

/s/ Frank A. Toddre, II

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19 **ORDER**

20 IT IS SO ORDERED.

21 DATED: October 8, 2018.



22 RICHARD F. BOULWARE, II  
23 United States District Court